

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND  
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO,  
*et al.*,

Debtors.<sup>1</sup>

PROMESA

Title III

No. 17 BK 3283-LTS

(Jointly Administered)

Re: Dkt. No. 18502

**PRETRIAL INFORMATIVE MOTION OF THE AD HOC GROUP OF  
CONSTITUTIONAL DEBTHOLDERS PURSUANT TO ORDER REGARDING  
PROCEDURES FOR HEARING ON CONFIRMATION OF PLAN OF ADJUSTMENT**

The Ad Hoc Group of Constitutional Debtholders (the “Ad Hoc Group”) hereby files this Informative Motion pursuant to the *Order Regarding Procedures for Hearing on Confirmation of Plan of Adjustment* [Dkt. No. 18502] (the “Confirmation Hearing Procedures”).<sup>2</sup>

The following attorneys intend to appear via Zoom on behalf of the Ad Hoc Group at the Confirmation Hearing commencing on November 8, 2021 at 9:30 a.m. (Atlantic Standard Time), and continuing from time to time thereafter in accordance with the Confirmation Hearing Procedures:

<sup>1</sup> The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (iv) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17 BK 3567-LTS) Last Four Digits of Federal Tax ID: 3808); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations); and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19-BK-5233-LTS) (Last Four Digits of Federal Tax ID: 3801).

<sup>2</sup> Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to such terms in the Confirmation Hearing Procedures.

- Gary S. Lee, glee@mofo.com
- Theresa A. Foudy, tfoudy@mofo.com
- James A. Newton, jnewton@mofo.com
- Andrew Kissner, akissner@mofo.com
- Gerardo A. Carlo, gacarlo@carlo-altierilaw.com

At this time, counsel to the Ad Hoc Group does not intend to present opening argument, cross examine any declarants, or present live rebuttal testimony at the Confirmation Hearing, but reserves its right to so in accordance with the Confirmation Hearing Procedures, the orders of the Court, and applicable law. Further, counsel will be prepared to respond to—and reserves the right to be heard with respect to—any matters raised by the Court or to any statements made by any party in connection with the above-captioned Title III proceedings or any adversary proceedings currently pending in the above-captioned Title III proceedings.

In accordance with the Confirmation Hearing Procedures, annexed as **Exhibits A, B, and C** hereto are a completed Party Appearance Sheet, Witness Cover Sheet, and Exhibit Cover Sheet.

*[Remainder of page intentionally left blank]*

Date: October 27, 2021

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*Counsel for the Ad Hoc Group of Constitutional Debtholders*

**Exhibit A**

**Party Appearance Sheet**

**EXHIBIT A<sup>1</sup>**  
**PARTY APPEARANCE SHEET**

Name of Party	Ad Hoc Group of Constitutional Debtholders
Party Name Abbreviation (For Use with Zoom <sup>2</sup> )	AHGCD
<p>Confirmation Hearing Participant</p> <p>Attorney(s) Representing Party (provide the listed information for each attorney who may appear for the Party):</p> <ul style="list-style-type: none"> <li>• Name,</li> <li>• Email,</li> <li>• Law Firm,</li> <li>• Phone Number</li> <li>• Docket Entry No. for the Attorney's Notice of Appearance</li> <li>• Zoom Screen Name (<u>See</u> Confirmation Hearing Procedures Order, ¶ 9(a))</li> <li>• Is the attorney participating in the Final Pretrial Conference or the Confirmation Hearing or both?</li> </ul> <p>or</p> <p>Party-in-interest Not Represented by Counsel:</p> <ul style="list-style-type: none"> <li>• Name, Email, Phone Number, Proof of Claim Number (if any)</li> </ul>	<ul style="list-style-type: none"> <li>• Gary S. Lee; glee@mofo.com; Morrison &amp; Foerster LLP; 212-468-8000; Dkt. No. 18766; AHGCD / Lee, Gary / Morrison &amp; Foerster; both</li> <li>• Theresa A. Foudy; tfoudy@mofo.com; 212-468-8000; Dkt. No. 18766; AHGCD / Foudy, Theresa / Morrison &amp; Foerster; both</li> <li>• James A. Newton; jnewton@mofo.com; 212-468-8000; Dkt. No. 18766; AHGCD / Newton, James / Morrison &amp; Foerster; both</li> <li>• Andrew Kissner; akissner@mofo.com; 212-468-8000; Dkt. No. 18766; AHGCD / Kissner, Andrew / Morrison &amp; Foerster; both</li> <li>• Gerardo A. Carlo; gacarlo@carlo-altierilaw.com; 787-247-6680; Dkt. No. 18766; AHGCD / Carlo, Gerardo / G. Carlo-Altieri Law Offices, LLC; both</li> </ul>
Plan Objection Docket Entry No.	N/A
Witness List Docket Entry No.	N/A
Exhibit List Docket Entry No.	N/A
Other Statement Docket Entry No.	18453
If a Party files a supplemental Party Appearance Sheet, the Party must include the Docket Entry No. of the original appearance sheet in the new filing which must be clearly marked as a "Supplemental" Party Appearance Sheet.	
<p><b>Note:</b> Pursuant to the Confirmation Hearing Procedures Order ¶ 2, the Financial Oversight and Management Board for Puerto Rico and the Puerto Rico Fiscal Agency and Financial Advisory Authority shall each be limited to 4 attorneys appearing in the Zoom session at any given time, and each other party-in-interest shall be limited to 2 attorneys at any given time. No amicus appearances on Zoom will be permitted for purposes of the Confirmation Hearing.</p> <p>Parties-in-interest not appearing by counsel must have (i) filed a written objection on behalf of him or herself and/or a statement of support in relation to plan confirmation consistent with either (1) <i>Order Establishing Procedures and Deadlines Concerning Objections to Confirmation and Discovery in Connection Therewith</i> and/or (ii) <i>the Confirmation Hearing Procedures Order</i>.</p>	

<sup>1</sup> This Party Appearance Sheet must be attached to a party-in-interest's Informative Motion as **Exhibit A**.

<sup>2</sup> See Confirmation Hearing Procedures Order, ¶ 9(a).

**Exhibit B**

**Witness Cover Sheet**

**EXHIBIT B<sup>1</sup>**  
PARTY WITNESS COVER SHEET

Name of Party			Ad Hoc Group of Constitutional Debtholders
Does the Party intend to offer a witness?			No, but the Ad Hoc Group reserves the right to do so in accordance with the Confirmation Hearing Procedures, the orders of the Court, and applicable law
Total Number of Witnesses			
Witness Name	Expert or Fact Witness	Is interpreter required? (Proponent of witness must provide certified interpreter)*	Scope of Testimony
I, [ <i>insert filing attorney name or pro se party-in-interest</i> ], certify that I have attached each evidentiary document referenced by the above-identified party as a separate exhibit to this cover letter.			

\*The Court does not provide interpreters for witness testimony.

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<sup>1</sup> This Party Witness Cover Sheet must be attached to a party-in-interest's Informative Motion as **Exhibit B**.

**Exhibit C**

**Exhibit Cover Sheet**



**EXHIBIT C<sup>1</sup>**  
**PARTY EXHIBIT COVER SHEET**

Name of Party		Ad Hoc Group of Constitutional Debtholders
Does the Party intend to offer evidence?		No, but the Ad Hoc Group reserves the right to do so in accordance with the Confirmation Hearing Procedures, the orders of the Court, and applicable law
Total Number of Exhibits Offered by the Party		
Exhibit Identifier <sup>2</sup>	Docket Entry No.	Description of Exhibit
*If a Party files a supplemental Exhibit Cover Sheet, the Party must include the Docket Entry No. of the original exhibit cover sheet in the new filing which must be clearly marked as a “Supplemental” Exhibit Cover Sheet filing.		
Pursuant to Bankruptcy Local Rule 9037-1(a), parties and counsel are solely responsible for redacting the personal identifiers enumerated in Fed. R. Bank. P. 9037(a).		
I, <i>[insert filing attorney name or name of Pro Se Party in Interest]</i> , certify that I have attached each evidentiary document listed above as a separate exhibit to this cover sheet.		

<sup>1</sup> This Party Exhibit Cover Sheet must be attached to a party-in-interest’s Informative Motion as **Exhibit C**.

<sup>2</sup> Each Exhibit should be named in sequential party-identified numbering (e.g., “FOMB Ex. 1” or “UCC Ex. A”).